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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

DATE: 29 MAR 1990

SUBJECT: ACTION MEMORANDUM - Removal Request for Morris Paint and Varnish Facility,
East St. Louis, Illinois (Site ID #HP)FROM: Charles Gabien, On-Scene-Coordinator
Emergency & Enforcement Response BranchTO: David Ullrich, Acting Director
Waste Management DivisionTHRU: Norman Niedergang, Acting Associate Division Director 3/29
Office of SuperfundPURPOSE

The purpose of this memorandum is to confirm the verbal approval totaling \$150,000 discussed below and to obtain an additional \$524,000 for a total project ceiling of \$674,000 to mitigate the threats posed to human health at the Morris Paint & Varnish site in East St. Louis, Illinois. A removal action was necessary to eliminate the immediate threat to public health and the environment due to the fire and explosion potential from low flash solvents on site. Vandalism and past fires have created an imminent and substantial threat to the public. The proposed action would stabilize the site by removing all hazardous substances from the facility, and providing site security during the course of the removal.

This site is not on the National Priorities List (NPL).

BACKGROUND

On March 9, 1990, a request for assistance was received from the Illinois EPA by Jack Barnette, Section Chief of the Emergency Response Section II. A fire at the facility's warehouse, allegedly set by vandals, caused concern about the possibility of a similar occurrence at the manufacturing building. The Illinois EPA advised that the facility had been abandoned for several months and contained numerous drums of paints and flammable solvents, including toluene, benzene, methyl ethyl ketone, and various alcohols. Unrestricted access to the facility had already resulted in significant vandalism and spillage of materials. Mr. Barnette acting for Robert Bowden (Branch Chief) verbally authorized \$10,000 for the ERCS contractor (PEI) to provide site security, pending a site evaluation by the Agency.

The site evaluation was conducted on March 13, 1990, and samples collected that day were verified on March 15, 1990, and confirmed low flash materials (<38 F), on site. Robert Bowden verbally authorized an additional \$40,000 on March 15, 1990, to allow the ERCS contractor to mobilize to East St. Louis. Site activities continued thru March 18, 1990, with costs approaching the \$50,000 ceiling. Ken Theisen (OSC) requested additional funding on March 18, 1990. On the morning of March 19, 1990, Robert Bowden received from the Acting Associate Division Director for Superfund, Norman Niedergang, verbal authorization for an additional \$50,000, raising the ceiling to \$100,000. A third increase of \$50,000 was approved on March 21, 1990, by Mr. Niedergang to prevent work stoppage at the site, increasing the project ceiling to \$150,000. Work to date has consisted of removing substantial amounts of fire debris, including the warehouse roof, sorting and staging the hundreds of containers left in the facility.

The Morris Paint and Varnish facility is located at 15th and Brady in East St. Louis, Illinois and covers 2-3 acres. Land use in the immediate vicinity is residential and light industrial. The facility has been owned by Mr. Ferguson since 1979 when he purchased it from a bankruptcy court. Morris Paint manufactures paints and specialty products for sale. In 1982 a major fire destroyed the mid-section of the facility, between the manufacturing building and warehouse. Routine inspections by Illinois EPA indicated on-going RCRA violations and deterioration of the site, which resulted in a removal action by Illinois EPA, of 1,903 containers, totaling \$900,000, completed in May 1989. The Illinois Attorney General filed for a permanent injunction, which closed the facility in January 1990.

THREAT

The documented conditions at the Morris Paint and Varnish facility meet the criteria for a removal action as stated in the National Contingency Plan (NCP) Section 106.88(b)(1), specifically:

1. Actual or potential exposure to hazardous substances.

Unrestricted access has resulted in fires and vandalism, posing a direct contact threat to the public.

2. Hazardous substances in drums, barrels, and tanks, that may pose a threat of release.

Site evaluation has documented hundreds of 55 gallon containers and thousands of smaller containers on-site, many of which are open, leaking, or have been poured out in the manufacturing building and warehouse. There are seven one thousand gallon aboveground tanks in the site's manufacturing building, some of which have leaked paints onto the floor and soil adjacent to the building. In addition nine (9) underground solvent storage tanks are located adjacent to the manufacturing building.

3. Weather conditions that may cause hazardous substances to migrate or be released.

Fires in 1982 and 1990 have destroyed two-thirds of the facility, exposing containers, debris and residues to the environment. Precipitation and wind pose a significant migration hazard.

4. Threat of fire and explosion.

As stated above, fires have destroyed two-thirds of the facility. The site evaluation has documented the presence of low flash materials including toluene, benzene, methyl ethyl ketone, and various alcohols that still remain on site. Routine vandalism experienced at the site poses a significant fire and explosion hazard.

ENFORCEMENT

See Enforcement Confidential Attachment I.

PROPOSED ACTION AND COST

The primary objective of this removal action is to remove all hazardous substances which pose a fire and explosion hazard, and direct contact hazard. Additional activity will include debris removal to obtain safe access to the various containers, and potential excavation to remove (9) buried tanks.

The detailed Emergency Response Cleanup Services (ERCS) cleanup contractor cost breakdown is presented in Attachment II, with the estimated project costs presented below:

EXTRAMURAL COSTS

Cleanup contractor	\$ 455,000.00
Contingency (15%)	<u>68,300.00</u>
Subtotal	\$ 523,300.00
TAT/TES	<u>36,100.00</u>
Extramural subtotal	\$ 559,400.00
Extramural Contingency (15%)	<u>84,000.00</u>
Extramural Total	\$ 643,400.00

INTRAMURAL COSTS


U.S. EPA Direct Costs [\$30 (360 Regional hr. + 36 HQ hr.)]	\$ 11,900.00
U.S. EPA Indirect Costs [\$51 x 360 Regional hr.]	<u>18,400.00</u>
Intramural Total	\$ 30,300.00
TOTAL REMOVAL PROJECT CEILING COST	\$ 674,000.00

The estimated performance period for this project is 6 weeks.

RECOMMENDATION

Because conditions at the Morris Paint and Varnish site meet the NCP Section 300.65 criteria, your approval to conduct a removal action is recommended. With your approval, the project ceiling will be \$674,000.00 of which up to \$607,300.00 (455,000.00 plus 68,300.00, plus 84,000.00) may be used for extramural contractor costs. You may indicate your decision by signing below.

APPROVAL:


ACTING DIVISION DIRECTOR
WASTE MANAGEMENT DIVISION

DATE: 3/29/90

DISAPPROVAL:

ACTING DIVISION DIRECTOR
WASTE MANAGEMENT DIVISION

DATE: _____

bcc: S. Janowiak, OS-210
L. Peterson/Mary McAliffe, 5CS-TUB-3
A. Bauman, 5HS-10
R. Powers/R. Buckley, 5HS-GI
R. Bowden, 5HS-12
P. Schafer, 5HS-12
R. Mancos, 5HS-12
L. Fabinski, ATSDR, 5HS-10
O. Warnsley, RP/CRU, 5HS-12
T. Lesser, 5PA-14
C. Gebien, 5HS-12
L. Martinez
EERB Read File
EERB Delivery Order File
EERB Site File
F. Myers, 5MA-14

ATTACHMENT I

Enforcement Confidential Information

Redacted-not relevant to the selection of the removal action.

ATTACHMENT II

DETAILED CLEANUP CONTRACTOR ESTIMATE

Contractor Personnel	\$200,387.02
Contractor Equipment	34,993.73
Unit Rate Materials	26,957.08
Subcontractors	27,035.64
Waste Transportation	41,167.20
Waste Disposal	<u>123,115.30</u>
TOTAL	\$453,655.97